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MAY 19 2008

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. Reynaldo MORALES-Sanches, Defendant.	Mag. Case No. '08 MJ 8444 COMPLAINT FOR VIOLATION OF Title 8, U.S.C., Section 1326 Attempted Entry After Deportation

The undersigned complainant being duly sworn states:

On or about May 17, 2008, within the Southern District of California, defendant Reynaldo MORALES-Sanches, an alien, knowingly and intentionally attempted to enter the United States of America with the purpose, i.e. conscious desire, to enter the United States without the express consent of the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, after having been previously excluded, deported or removed from the United States to Mexico, and not having obtained said express consent to reapply for admission thereto; and committed an overt act, to wit, crossing the border from Mexico into the United States, that was a substantial step towards committing the offense, all in violation of Title 8, United States Code, Section 1326.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

Senior Border Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 19th DAY OF MAY 2008.

PETER C. LEWIS
U.S. MAGISTRATE JUDGE

I, Senior Border Patrol Agent Michael Mikuski declare under penalty of Perjury, the following is true and correct:

PROBABLE CAUSE STATEMENT

The complainant states that this complaint is based upon the statements of the investigating Border Patrol Agent R. Dufort, that the defendant, Reynaldo MORALES-Sanches, a native and citizen of Mexico was found and arrested on or about May 17, 2008 approximately one half (.5) miles west of Calexico, California.

At approximately 12:30 a.m. the Calexico Border Patrol Station's Remote Camera Operator (RVSS) observed a group illegally enter the United States west of the Calexico west Port of Entry. The RVSS Operator notified Agent Dufort that the group was hiding in a parking area. Agent Dufort, with the assistance of the RVSS Operator was able to locate the group. Agent Dufort identified himself to the group and questioned them, including one later identified as Reynaldo MORALES-Sanchez. It was determined they are all citizens of Mexico illegally in the United States. MORALES and the others were arrested and transported to the Calexico Station.

During processing at the station, MORALES' fingerprints were entered into the IDENT/ENFORCE/IAFIS systems. It was determined previously removed from the United States on May 2, 2001. A further records check of MORALES revealed he has a serious criminal history.

There is no evidence MORALES has sought or received permission from the Attorney General of the United States or the Secretary of the Department of Homeland Security to re-enter the United States after being deported

Executed on May 17, 2008, at 2:15 PM.

Michael Mikuski
Senior Border Patrol Agent

On the basis of the facts presented in the probable cause statement consisting of 1 page, I find Probable Cause to believe that the defendant named in this probable cause statement committed the offense on May 17, 2008 in violation of Title 8, United States Code, 1326

Honorable Anthony J. Battaglia
United States Magistrate Judge

5/17/08 3:25pm
Date/Time